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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,903	04/11/2001	Lory D. Molesky	50277-1004	8571

23517 7590 12/20/2006  
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WASHINGTON, DC 20007

EXAMINER
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STORK, KYLE R

ART UNIT	PAPER NUMBER
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2178

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/20/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/829,903

Applicant(s)

MOLESKY, LORY D.

Examiner

Kyle R. Stork

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5, 8, 10-14, 17 and 20-24 is/are allowed.
- 6) ☒ Claim(s) 6, 7, 15, 16, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This non-final office action is in response to the amendment filed 2 October 2006.
2. Claims 1-8 and 10-24 are pending. Claims 1, 11-12, 17, and 21 are independent claims.

The rejection of claims 1-8 and 10-24 under 35 USC 103 under Screenshots ([www.iwu.edu/~lshapiro](http://www.iwu.edu/~lshapiro), 6 December 1998, available via Web Archive) and further in view of Myers et al. (US 5581677, patented 3 December 1996), and further in view of Michaud et al. (US 2002/0052891, filed 10 April 1998), Priester ("Mouse Over Magic," 2000), and Robotham et al. (US 6704024, filed 29 November 2000) have been withdrawn as necessitated by the amendment.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 6-7, 15-16, and 18-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 6 and 7, the applicant claims methods for producing a computer readable medium and a method for operating a computer readable medium respectively. Although these claims appear to be written as dependent claims of claim 1, claim 1 is directed toward a computer-readable medium. Therefore, it is unclear how the method for producing a computer readable medium and the method for operating a

computer readable medium are dependent upon the computer readable medium of claim 1.

Claims 15-16 and 18-19 recite limitations similar to those in claims 6-7, and are similarly rejected.

5. Claims 6-7, 15-16, and 18-19 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are:

With respect to claim 1, the applicant claims a computer-readable medium causing a processor to execute a plurality of steps. However, claim 6 discloses "a method for producing a computer-readable medium according to claim 1 (lines 1-2)." It is unclear how the computer readable medium of claim 1 causing a plurality of steps to be executed by a processor is related to the method for creating a computer readable medium as claimed in claim 6. Claim 6 is therefore missing essential matter including "elements, steps or necessary structural cooperative relationships of elements described by the applicant(s) as necessary to practice the invention. (MPEP 2172.02)."

Further, claims 7 discloses "a method for operating a computer system with a computer readable medium (lines 1-2)." Again, it is unclear how the computer readable medium of claim 1 is interrelated to the method for operating a computer system of claim 7. Claim 7 is therefore missing essential matter including "elements, steps or

Art Unit: 2178

necessary structural cooperative relationships of elements described by the applicant(s) as necessary to practice the invention. (MPEP 2172.02)."

Claims 15-16 and 18-19 recite limitations similar to those in claims 6-7, and are similarly rejected.

***Allowable Subject Matter***

6. Claims 1-5, 8, 10-14, 17, 20-24 are allowed.

7. The following is an examiner's statement of reasons for allowance: The prior art of record fails to teach simultaneously displaying a first chart and a second chart, wherein in response to an event relating to the first chart, the second chart is replaced by a third chart, wherein simultaneous display of the first and second chart, and the replacement of the second chart with the third chart is stored on the webpage as a continuous stream of markup language and is generated based on chart content information and styling information obtained from the first, second, and third charts.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kyle R Stork  
Patent Examiner  
Art Unit 2178

kr

  
**STEPHEN HONG**  
SUPERVISORY PATENT EXAMINER